

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
J. FREDERICK MOTZ  
UNITED STATES DISTRICT JUDGE

101 WEST LOMBARD STREET  
BALTIMORE, MARYLAND 21201  
(410) 962-0782  
(410) 962-2698 FAX

March 31, 2016

MEMO TO COUNSEL RE: Susan Anderson v. Anne Arundel County  
Civil No. JFM-15-2962

Dear Counsel:

I have reviewed the memoranda submitted in connection with defendant's motion to dismiss.

The motion (document 9) is granted. Plaintiff did not serve defendant until the 121st day after the complaint was filed. She did not seek leave of court to extend the time for service as required by Fed. R. Civ. P. 4(m) for "good cause." Accordingly, dismissal of the action is required.

I also note that plaintiff alleges that she received the right to sue letter from the EEOC "on or about July 2, 2015." If she received the right to sue notice on July 2, 2015, this action would have been filed on the 89th day after July 2, 2015. Because plaintiff apparently cannot establish exactly when she received the right to sue notice (which was dated June 24, 2015), this action is barred on that ground as well.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz  
United States District Judge